

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SOULA LIARAKOS,)	
)	
Plaintiff,)	
)	
v.)	No: 21 CV 1243
)	
COSTCO WHOLESALE CORPORATION.,)	
a foreign corp.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

To: The United States District Court for the Northern District of Illinois, Eastern Division

Plaintiff's Counsel: Guy D. Geleerd, Jr.
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Pursuant to 28 U.S.C. §1441 and 1446, Defendant, COSTCO WHOLESALE CORPORATION ("Costco"), through its attorneys, Stacy D. Fulco and Margaret L. MacNair of Bodell Bove LLC, hereby file this Notice of Removal of the above-captioned matter from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division. In support of this Notice, Defendant respectfully states as follows:

1. On September 17, 2020, Plaintiff, Soula Liarakos initiated the above-captioned action by filing a Complaint at Law for a monetary judgment in the Circuit Court of Cook County, Illinois against Defendant. (Complaint, Ex. "A").

2. On September 10, 2021, Defendant's Registered Agent was served with Plaintiff's Complaint and Summons. (Proof of Service, Ex. "B").

3. Removal, based on diversity of citizenship, is proper where all of the parties properly joined and served as defendants are diverse and the amount in controversy has been met.

4. The United States District Court for Northern District of Illinois, Eastern Division has jurisdiction over this action pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332 for the following reasons:

a. Based on the Complaint, the plaintiff is a resident of Chicago, Illinois. For this reason, for purposes of assessing diversity of citizenship, the plaintiff is a citizen of Illinois.

b. Defendant is a corporation duly organized and existing under the laws of Washington, with its principal place of business in the State of Washington, at 999 Lake Dr. Issaquah, Washington, 98027. (Illinois Secretary of State – Business Services, Ex. “C”). For this reason, for the purpose of assessing diversity of citizenship, Defendant is a citizen of Washington.

c. According to Plaintiff’s Complaint, Plaintiff seeks to recover for personal injuries sustained when she fell in the parking lot at a Costco warehouse. It is Defendant’s good faith belief that the amount in controversy exceeds \$75,000 exclusive of interest and costs and the basis of that belief is as follows:

i. The Complaint asserts an amount in controversy over \$50,000;

ii. On February 15, 2021, Defendant’s counsel emailed Plaintiff’s counsel requesting information regarding the case value and whether Plaintiff will stipulate the case value is less than \$75,000. Plaintiff’s counsel responded and advised the case value is in excess of \$75,000. (February 15, 2021 Email, Ex. “D”).

iii. For these reasons, the amounts in dispute exceed \$75,000, exclusive of interest and costs.

5. For the reasons set forth above, this lawsuit is removable from state court to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §1441 (a) and 28 U.S.C. §1332 (a)(2), (c)(1). Based on Defendant's investigation, complete diversity of citizenship exists among Plaintiff and Defendant and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

6. 28 U.S.C. §1446 imposes a 30-day limitation upon a defendant to timely file a Notice of Removal. Defendant's Notice of Removal is timely because it was filed within thirty days after the receipt by Defendant, through service, of the initial pleading setting forth the removable claims for relief. *See* 28 U.S.C. §1446(b).

7. Written notice of the filing of this Notice of Removal has been served on Plaintiff through her counsel, as required by 28 U.S.C. §1446(d).

8. A true copy of this Notice of Removal has been filed with the Circuit Court of Cook County, Illinois as provided by 28 U.S.C. §1446(d).

9. By filing this Notice of Removal, Defendant does not waive any jurisdictional objections or any other defenses that are available.

WHEREFORE, Defendant, COSTCO WHOLESALE CORPORATION, respectfully requests that this civil action be removed from the Circuit Court of Cook County, Illinois, and that this Court accept jurisdiction over this action, and proceed this Court as an action properly removed.

Respectfully submitted,

COSTCO WHOLESALE CORPORATION

By: /s/ Stacy D. Fulco
One of Its Attorneys

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